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Notice of Allowability	Application No.	Applicant(s)	
	09/922,859	KAWATA, HIDENORI	
	Examiner	Art Unit	
	Mike Qi	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of Dec.7, 2004.
2. ☒ The allowed claim(s) is/are 1,4,7-10,16,17,33 and 34.
3. ☒ The drawings filed on 15 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>8/24/04;7/12/04;</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael Britton on Feb.9, 2005.

The application has been amended as follows:

1) Claim 16 has been amended as follows:

-- The electro-optical apparatus according to claim 1, further comprising:

a barrier layer formed by depositing a film of a refractory metal or a refractory metal compound containing no oxygen prior to forming the metal layer.

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2) Claim 17 has been amended as follows:

-- The electro-optical apparatus according to claim 1, including an insulating film formed by depositing an insulating material on said barrier layer, said forming the insulating film including performing heat treatment at a temperature in the range from 500°C to 1100°C. --

3) Claims 5, 11-13 and 19 – 31 have been canceled. (Claims 2-3, 6, 14-15, 18 and 32 canceled in the applicant's amendment of Dec.7, 2004.)

Allowable Subject Matter

1. Claims 1, 4, 7-10, 16-17 and 33-34 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The prior art of record neither discloses nor teaches an electro-optical apparatus comprising various elements and steps as claimed, more specifically, as the following:

the light shielding film including a metal layer and two barrier layers formed on the upper and lower surface of the metal layer; and the side faces of the lower barrier layer and the side faces of the metal layer are covered by the upper barrier layer; and the two barrier layers being formed of refractory metal or refractory metal compound containing no oxygen; and the thickness of the upper barrier layer being greater than the thickness of the lower barrier layer as shown in Fig. 7 [claims 1 and 34].

The closest reference such as JP 4-1728 (Komori et al) discloses that using two or three metal (no oxygen) to form the light shielding layer, but the prior art of record before the priority filing date (Aug.7, 2000) (having English translation) do not disclose such light shielding structure as claimed wherein using a metal layer sandwiched between the two barrier layers and the upper barrier layer covers the side faces of the metal layer and the lower barrier layer as shown in Fig.7; and the upper barrier layer is thicker than the lower barrier layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Qi whose telephone number is (571) 272-2299.

The examiner can normally be reached on M-T 8:00 am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Qi
February 9, 2005



ROBERT H. KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800